

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

CHARLES BARR

PLAINTIFF

v.

No. 4:18CV82-GHD-DAS

STATE OF MISSISSIPPI, ET AL.

DEFENDANTS

**ORDER DENYING PLAINTIFF'S MOTIONS [32], [33]
TO ALTER OR AMEND ORDER**

This matter comes before the court on the plaintiff's motions for reconsideration of the court's order [30] denying the plaintiff's motion to proceed *in forma pauperis* on appeal. The court interprets the motions, using the liberal standard for *pro se* litigants set forth in *Haines v. Kerner*, 404 U.S. 519 (1972), as motions to amend judgment or order under Fed. R. Civ. P. 59(e), which must be filed within 28 days of entry of judgment. An order granting relief under Rule 59(e) is appropriate when: (1) there has been an intervening change in the controlling law, (2) where the movant presents newly discovered evidence that was previously unavailable, or (3) to correct a manifest error of law or fact. *Schiller v. Physicians Res. Grp. Inc.*, 342 F.3d 563, 567 (5th Cir. 2003).

The court denied the plaintiff's original motion to proceed *in forma pauperis* on appeal because the appeal is frivolous and has no possibility of success. That has not changed since entry of the original order. The plaintiff has neither asserted nor proven any of the justifications to amend a judgment under Fed. R. Civ. P. 59(e). As such, the plaintiff's requests [32], [33] to alter or amend judgment or order are **DENIED**.

SO ORDERED, this, the 10th day of June, 2020.



SENIOR UNITED STATES DISTRICT JUDGE